



Village of Westmont
Board of Trustees
Memorandum
August 27, 2020

Item for Board of Trustees Consideration:

Request from Juanita Rea-Dorn, owner, regarding the property located at 526 North Park Street, for a zoning code variance from Sec. 4.05. (E) 15, where:

1. The maximum allowed depth is 28'; and,
2. The maximum allowed size is 576 sq. ft. and,

The purpose of the variance is to permit the construction of a garage measuring 720 sq. ft. and 30 ft. in length in order to store landscaping equipment and two vehicles.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission voted to recommend approval.

I. Basis of Recommendation

A. Background

Juanita Rea-Dorn seeks to demolish an existing wood frame detached garage measuring approximately 440 sq. ft., along with an existing shed measuring 102 sq. ft., both totalling 542 sq. ft., and replace both with one detached garage measuring 720 sq. ft. measuring 24'x30', with a separation distance from the principal structure of 42'9" and a side yard setback of 3 ft.

The subject property is located on North Park, just a block south of Ogden Avenue, directly south of the medical building currently under construction.

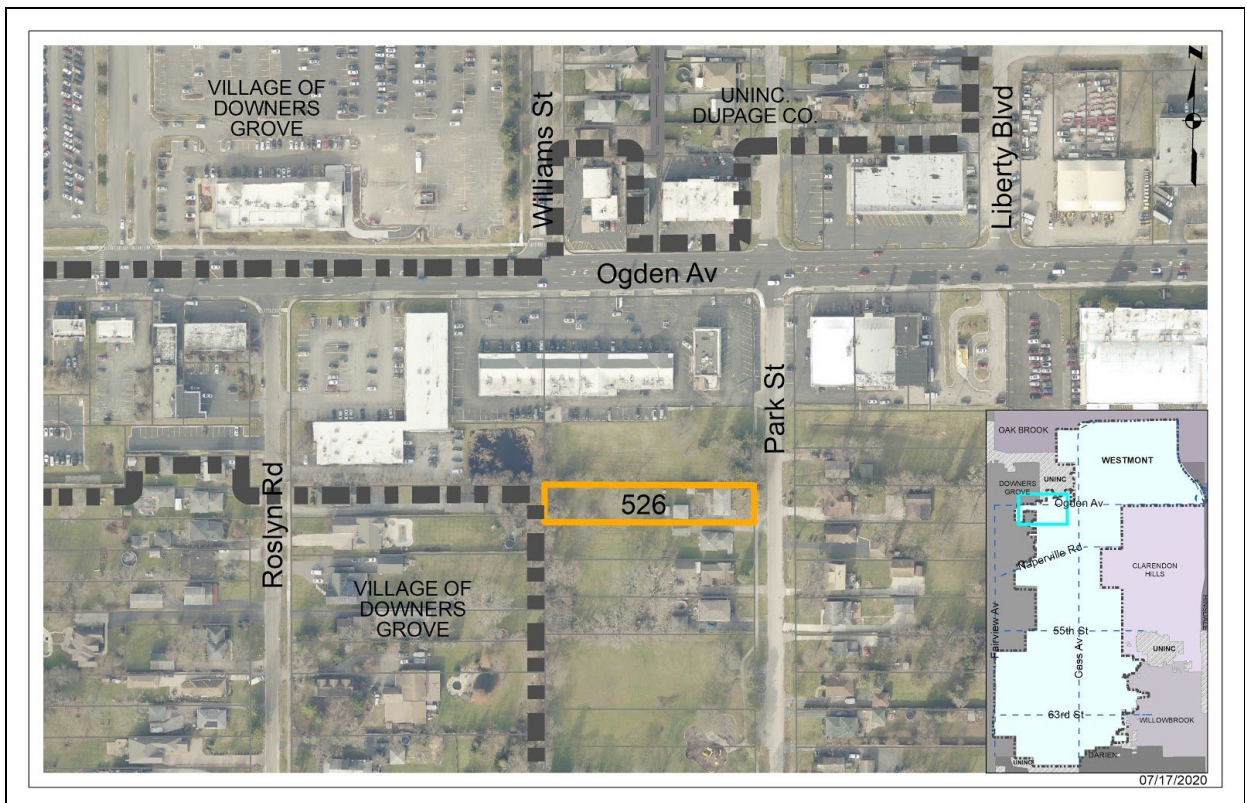
The Zoning Code allows garages to have a maximum allowable square footage of 576 sq. ft. and a maximum allowable depth of 28 ft. The project will require one variance as both of these requirements are covered under Zoning Code Section 4.05(E)15.

The proposed detached garage exceeds the maximum size allowed by right for a detached garage (576 sq. ft. and less than 28' deep, per Article IV Sec. 4.05.(c) 3).

Lot Coverage:

The result will be the consolidation of some of the lot coverage into one foundation, with a net addition in impervious coverage of 178 sq. ft. for the foundation, and an additional 37 sq. ft. additional flatwork for the apron and driveway approach, for a total of 215 sq. ft. net increase in lot coverage.

The subject lot is a relatively narrow lot, relative to its depth, measuring 336' x 60', for a total area of 20,152 sq. ft +/-, according to materials submitted by the applicant. The maximum allowable lot coverage for this lot is approximately 7,053 sq. ft. Currently, the lot coverage for this residential lot stands at 3,487 sq. ft., while the lot coverage for the proposed improvements will bring the total up to 3,702 sq. ft. This represents a future proposed lot coverage of 18.4%, an increase of just 1.1%.



Aerial map of the subject property - 526 North Park Street

B. Critical Issues

The subject property is zoned R-3 Single Family Detached Residence District. The surrounding properties to the west, east and south are similarly zoned, while the properties directly to the north are zoned B-2 General Business District, which allows for higher densities. Currently, there is a medical building under construction directly to the north of the subject property.

1. Zoning and Land Development Analysis

The subject property is located in the R-3 General Single-Family Residence District, and adjacent properties to the east, west, and south are similarly zoned. The residence's north side yard abuts a lot that was previously vacant and that was rezoned to B-2 General Business District to expand the buildable area for a medical building fronting Ogden.

The proposed garage is located well within the eastly half of the property, and will provide a rear yard depth of approximately 194 feet, where only 67 feet are required. The proposed structure will be set back nearly 200 feet from the existing rear lot line, which would allow the lot to be subdivided to create two approximately 153-foot long lots, with ample room for ROW dedications should a public road be required.

2. Building Code Analysis:

Should this project move to permitting, there are other considerations that lie outside of zoning that will need to be reviewed and considered, such as building codes that apply when a foundation exceeds the maximum allowable foundation size for garages of 576 sq. ft. Additionally, there are other conditions that might be placed on the proposal at permitting:

NOTE #1: Compliance with all adopted model/building codes is expected, as applicable. (Additionally, if trusses are to be used in construction, an Illinois-licensed structural engineer shall stamp and sign the plans/drawings.)

NOTE #2: Construction methods or documents are not subject to the variance proceedings and will be reviewed in conjunction with the submittal/application process for permitting, should this project continue to that point.

NOTE #3: Due to the age of the residence and other existing conditions on the lot, there might be nonconforming conditions on the lot, legal or otherwise. Such nonconforming conditions are not the subject of this variance process and will be addressed at permitting, should the permit reviewers deem them pertinent.

2. Stipulation

The Zoning Code does not currently allow “granny flats” or accessory structures for residential purposes. For this reason, staff recommends a stipulation that residential uses are expressly prohibited in any of the accessory buildings on the subject lot.

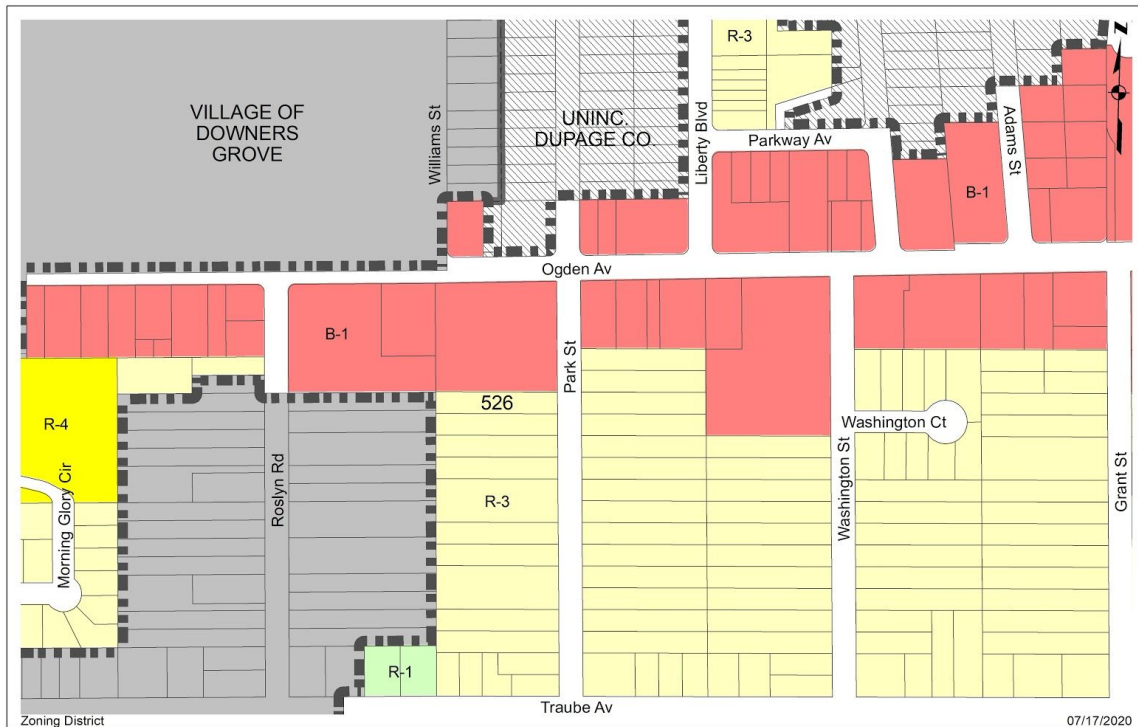
Map Series



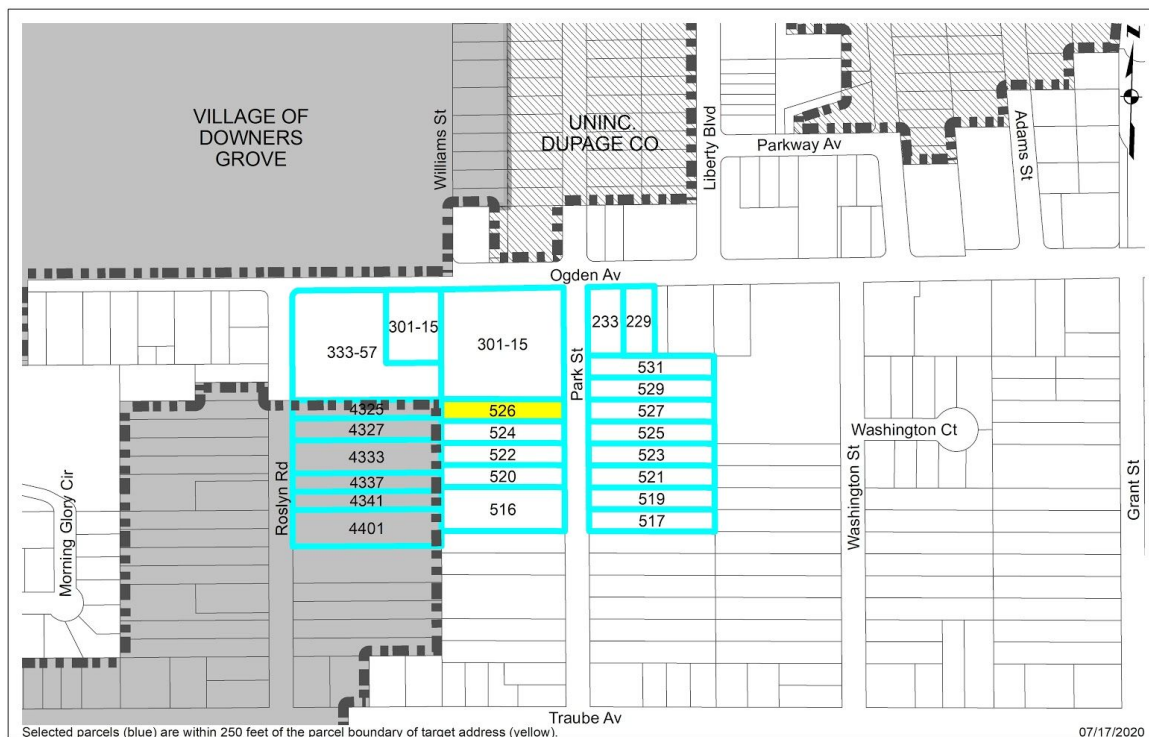
Existing land use map showing the subject lot abutting a residential vacant lot, which is being converted to a parking lot for a medical building, currently under construction.



Proposed Land Use Map showing similar uses as the existing land use map, except with an intensifying commercial corridor along Ogden.



Zoning map showing the subject lot as a R-3 Single Family Detached Residence District abutting Downers Grove residences to the west, R-3 Single Family Detached Residence Districts to the south and north and B-2 General Business Zoning directly to the north.



Public Notification area shown in light blue, with subject lot highlighted in yellow.

SUMMARY

The petitioner seeks approval of a Zoning Code Variance to build a replacement detached garage within 43 feet of the principal structure, and seeks a variance for this purpose, including the 28' depth rule and the 524 sq. ft. rule for accessory structures of this type.

C. Legal

Notification: Public notice was published in the Westmont Suburban Life newspaper on July 23, 2020. Mailed notices were sent and a public notice sign was placed on the property on July 15, 2020.

Code Reference: Appendix "A", Section 4.05(E)(11) and Section 13.07

D. Other Actions: The recommendation of the Planning and Zoning Commission will be referred to the Village Board tentatively on August 27, 2020 for a final decision.

II. **Recommended Conditions, Stipulations, or Other Requirements**

1. Residential uses (sleeping overnight) are not allowed in the garage building.

III. **Attachments and References**

1. Application materials, and associated attachments.

IV. **Principal Parties**

1. Michael Davenport, Architect
2. Juanita Rea-Dorn, Owner

CONCURRENCY SUMMARY REPORT

Project Name: 526 N. Park St. - Garage Variance - PZC Case # 00022-2020

Report Date: August 27, 2020

The proposal is generally consistent with the Comprehensive Plan, the Proposed Land Use Plan, and the Codes and Ordinances for the Village of Westmont.

FINDINGS OF FACT FOR PZC CASE NO. 00022-2020

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION FINDINGS OF FACT PUBLIC HEARING OF AUGUST 12, 2020

P/Z 00022-2020 - Juanita Rea-Dorn, 526 N. Park Street, Westmont
Request for a variance to allow a detached garage which exceeds the maximum size and length permitted by the Zoning Ordinance.

CRITERIA NO. 1: The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.

FINDINGS OF FACT: The Applicant's property consists of 20,151 square feet, which is significantly larger than the minimum lot size of 7,800 square feet in the R-3 Single-Family Detached Residential District. In order to maintain this large lot, the Applicant requires sufficient storage space for her riding lawn mower, snow blowers, and other garden and lawn tools. Additionally, the Applicant requires space to store portable power generators, swimming pool supplies, two automobiles, children toys and other items. Restricting the garage to the 576 square feet allowed by the Zoning Ordinance would cause a hardship to the Applicant as she would be unable to sufficiently store these vehicles and equipment inside and it would diminish the value of the property based on the overall lot size.

CRITERIA NO. 2: The plight of the owner is due to unique circumstances.

FINDINGS OF FACT: This property is uniquely large for the R-3 District, and contains a lap pool which requires the storage of additional equipment not typically found in a single-family house in the area. Without this variance, the Applicant would be forced to park vehicles and store some equipment outside, which would detract from the neighborhood.

CRITERIA NO. 3: The variation, if granted, will not alter the essential character of the locality.

FINDINGS OF FACT: The Applicant's large lot will easily accommodate the proposed garage and will not adversely impact surrounding properties. Several large properties in the immediate area have garages of a similar size. The proposed garage will constitute a significant aesthetic upgrade over the existing garage, which is in poor condition. Additionally, the Applicant will remove an existing shed on the property. Even with the proposed garage, the Applicant's lot coverage will be approximately 11%, far less than the maximum allowed by the Zoning Ordinance.